

KOLLIN J. ZIMMERMANN (SBN 273092)
KILPATRICK TOWNSEND & STOCKTON LLP
1801 Century Park East
Suite 2300
Los Angeles, California 90067
Telephone: (310) 248-3830
Facsimile: (310) 860-0363
kzimmermann@ktslaw.com

R. CHARLES HENN JR. (*pro hac vice*)
H. FORREST FLEMMING, III (*pro hac vice*)
ERICA CHANIN (*pro hac vice*)
1100 Peachtree Street NE
Atlanta, Georgia 30309
Telephone: (404) 815-6549
Facsimile: (404) 541-3139
chenn@ktslaw.com
fflemming@ktslaw.com
echanin@ktslaw.com

Attorneys for Plaintiff
IMPOSSIBLE FOODS INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IMPOSSIBLE FOODS INC., a Delaware
corporation,

Plaintiff/Counter-Defendant,

v.

IMPOSSIBLE LLC, a Texas limited liability
company, and JOEL RUNYON,

Defendants/Counter-Plaintiffs.

Case No. 5:21-cv-02419-BLF (SVK)

**[PROPOSED] ORDER GRANTING
PLAINTIFF'S MOTION TO STRIKE
DEFENDANTS' AFFIRMATIVE
DEFENSES**

Judge: Hon. Beth Labson Freeman
Date: June 26, 2025
Time: 9:00 a.m.

[PROPOSED] ORDER

Plaintiff/Counter-Defendant Impossible Foods Inc. (“Impossible Foods”) has moved to strike Defendants/Counter-Plaintiffs Impossible LLC’s and Joel Runyon’s affirmative defenses of unclean hands, estoppel, waiver, and acquiescence asserted in Defendants’ Answer and Counterclaims to Impossible Foods’s Third Amended Complaint, on the grounds that the counterclaim was asserted in violation of pursuant to Federal Rules of Civil Procedure 12(f), 15, 16 and Local Rule 10-1.

After considering the briefs, the arguments of counsel, and the evidence of record, the Court orders that Impossible Foods’s Motion to Strike is GRANTED. Defendants’ affirmative defenses of unclean hands, estoppel, waiver, and acquiescence are hereby STRICKEN.

IT IS SO ORDERED.

DATED: _____, 2025

Hon. Beth Labson Freeman
United States District Judge